

AL-15-001-1749

BILL SHUSTER
9TH DISTRICT, PENNSYLVANIA

**COMMITTEE ON TRANSPORTATION
AND INFRASTRUCTURE**
CHAIRMAN

COMMITTEE ON ARMED SERVICES
SUBCOMMITTEE:
INTELLIGENCE, EMERGING THREATS
& CAPABILITIES

Congress of the United States
House of Representatives
Washington, DC 20515-3809
May 6, 2015

Environmental Protection Agency
Congressional Affairs
1200 Pennsylvania Avenue, NW, Room 3426 ARN
Washington, DC 20460

Regarding: *exempt 6*

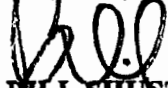
The attached communication is submitted for your consideration, and to ask that the request made therein be complied with, if possible.

Any assistance you can offer in this matter would be greatly appreciated.

If additional details are required, please do not hesitate to contact my Blair County office at (814) 696-6318.

If you will advise me of your action in this matter and return your reply to me, I will appreciate it.

Very Truly Yours,



BILL SHUSTER
MEMBER OF CONGRESS

310 Penn Street, Suite 200
Penn Street Center
Hollidaysburg, PA 16648
(814) 696-6318

WFS:mmmb
Enclosure

2208 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-3809
(202) 225-2431
FAX: (202) 225-2488

310 PENN STREET
SUITE 200
HOLLIDAYSBURG, PA 16648
(800) 854-3036
(814) 696-6318
FAX: (814) 696-6726

827 Water Street
Suite 3
INDIANA, PA 16701
(724) 463-0616
FAX: (724) 463-0518

100 LINCOLN WAY EAST
SUITE 8
CHAMBERSBURG, PA 17201
(717) 264-8308
FAX: (717) 264-0268

www.shuster.house.gov
www.facebook.com/rep.shuster
www.twitter.com/repbillshuster
www.youtube.com/repshuster

SUBJECT/PROBLEM:

See Attached

In accordance with Title 5, Section 552a of the United States Code, I hereby authorize Congressman Bill Shuster to request assistance on my behalf from the EPA
(NAME OF AGENCY)
in connection with my above-mentioned subject/problem, and authorize discussion of my records with Congressman Shuster and/or his representative for a period of one year from the date below:

NAME: exempt b

ADDRESS: exempt b

Claysburg PA
16625

PHONE: exempt b

SIGNATURE: exempt b

DATE: 4-9-15

SOCIAL SECURITY NUMBER: exempt b

DATE OF BIRTH: exempt b

Please complete this form and include a brief explanation of your problem, then mail to:

Congressman Bill Shuster
310 Penn Street Suite 200
Hollidaysburg, PA 16648

Phone - 814-696-6318

Toll-Free - 1-800-854-3035

Fax - 814-696-6726

April 8, 2015

To Whom This Concerns:

We have contacted Congressman Shuster's office to see if anyone can help us with our problem concerning manure management and proper burial of cows!

As far as we know we have exhausted all our help from state agencies.

We have contacted Bedford County Conservation office. (Exempt) who say they have no authority to enforce DEP laws. They only hand out manure management plans and make suggestions. Exempt Over has visited both barnyards.

We have contacted Blair Cty conservation office. (Exempt about massive fly problem). We supplied her with pictures of manure runoff.

We have contacted Representative Jesse Topper's office. We took pictures. Different agencies were contacted and DEP in Harrisburg feels the problem is over because they feel this runoff that runs down the ditch beside the road doesn't meet the creek.

We contacted Senator Wozniak's Office. (Same explanation and run around)

The agriculture dept. feels this is a civil matter. We should retain a lawyer. We wouldn't need a lawyer if laws

1) DFP in Harrisburg refuses to do anything more 1

1) DEP in Harrisburg refuses to do anything more than what they do. They sent a representative with ~~exempt~~ on a sunny day. We wanted to give them a bottle of water from the ditch. They refused.

In our opinion, the water does reach the creek.

We built our house in 1976 before both our neighbors became hobby farmers.

In ^{Feb.} 2014 I had a perfectly good well (262 ft. deep). We had a snow melt. I turned my spiked on and brown water came out. We treated the well by using clorox, water conditioner, ultra violet light and draining well. We had our water checked. (May 2014) we had hard rains and runoff. Our water turned pure brown. We believe it was manure. E Coli 101 Total Coliform > 200.5 unusable lethal.

We spent several thousand dollars for a new well. Our well was less than 100 ft from ^{the} barnyard fence. We were told by the conservation dept since we drilled a new well nothing could be done. We moved our new well further away.

The problem being, ~~exempt~~ and ~~exempt~~ barnyards are full of manure some on stacks. (not according to how the law reads) Cows get their water from the creek. Pasture land is mostly bare ground with a little

" He had a cow die in spring 2014 and 2015 in the barnyard. In 2015 the dead cow laid on a manure pile for probably at least 28 to 30 hrs. that we seen it. Burying cows ~~is~~ legal but he just had the cow brought across the road to my side (probably about 20-25ft. from road and ditch put in a hole and buried.

All of us have wet springs on our properties. I am concerned that bacteria from this cow will find its way into all our water supplies. These 2 farms are situated among several houses. ~~exempt~~ barnyard hasn't been cleaned for quite a while. Mr.

~~exempt~~ is not good in either. All this manure and dead cow with runoff could pose another water problem for everyone. The flies are horrible. This can be a health hazard for people along with the animals.

~~exempt~~ both have barn roof water running on these unsanitary barnyards.

~~exempt~~ barnyard is right ~~against~~ ^{against} my shrubs and garage. Our properties run downhill. All this runoff runs between my shrubs and down the hill and in a ditch across my blacktop driveway. In order to get my paper and mail we are always stepping over brown water or brown ice.

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1) I have video and pictures. We have to drive our car through this mess to get in our driveway.

Example: makes ditches in the barnyard so the water drains off. This runs in the ditch over the driveway to the creek. His pasture in the back of my house runs downhill. When he spreads manure or puts the cows there we get that runoff, too.

Between the flies and barnyard water in our opinion we feel this is a health hazard to us, our neighbors and the poor animals who live in manure filled barnyards.

DEF in Harrisburg refuses to listen or act on the runoff. The comment was made by one of the office's ^{mentioned} its just ground water like any normal barnyard. It's not and we live with this muck everyday in our driveway, around our house. My water supply was ruined by someone.

We feel someone should come out and enforce cleaning these barnyards up and make sure animals are buried properly to prevent everyone in the neighborhood from any health hazards and bacteria.

When people walk the road in front of my house I see small children playing and stepping in this ditch with manure water.



Corporate Office and Laboratory
825 25th Street
Altoona, PA 16601
814.949.2834 Phone
888.837.4674 Toll Free
814.949.9591 Fax

DuBois Office and Laboratory
110 McCracken Run Road
DuBois, PA 15801
814.371.6830 Phone
814.375.0823 Fax

<i>exempt</i> Claysburg PA, 16625	Project Name: Drinking Water Analysis	Lab ID#:
	Project Number: 4439.14.01	1405005
	Lab Project Manager: Diane Kiser	Reported:
		05/08/14 09:40

Kitchen sink

1405005-01 (Drinking Water) Sampled: 05/01/14 10:50

Analyte	Result	PQL	MDL	Regulatory Limit	Units	Prepared	Analyzed	Method	Lab	Analyst	Notes
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Mountain Research, LLC

General Microbiology

18hr. DWNM

E. COLI	181	1.00	NA	NA	MPN/100 ml	05/01/14 14:20	05/02/14 10:18	SM 9223 B	A	JMD	
TOTAL COLIFORM	>200.5	1.00	NA	NA	MPN/100 ml	05/01/14 14:20	05/02/14 10:18	SM 9223 B	A	JMD	

*Copy
of bad well*

Mountain Research, LLC

The results in this report apply to the samples analyzed in accordance with the chain of custody document. This analytical report must be reproduced in its entirety.

Tejun [Signature]

We have documentation of dates when all these agencies were contacted. Some agencies were contacted numerous times. We have video and pictures.

Both barnyards need cleaned on a regular basis and preferably not put this manure beside house ^{when doing so}. There are fields to put it in.

exempt
Claysburg, PA 16625
exempt

exempt
Claysburg, PA
16625

Sincerely,
exempt

exempt
Claysburg, PA
16625

exempt

FAX COVER SHEET

THE HONORABLE BILL SHUSTER

9th Congressional District Office
310 Penn Street Suite 200
Hollidaysburg, PA 16648
Phone - 814-696-6318 Fax - 814-696-6726

TO: EPA - Congressional

DATE: July 17, 2015

PAGES: Including cover sheet 9

FROM: Congressman Bill Shuster _____

Marlene Bendon ☒

Jim Frank _____

Brent Gates _____

Jenny Mearkle _____

Notes:

Re: *Exempts*

Casework - Status check / second request.

Thank you!

Marlene

AL-15-001-1749



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

SEP 3 2015

The Honorable Bill Shuster
Member, U.S. House of Representatives
310 Penn Street, Suite 200
Penn Street Center
Hollidaysburg, Pennsylvania 16648

Dear Representative Shuster:

Thank you for your May 6, 2015 letter to the U.S. Environmental Protection Agency (EPA) on behalf of your constituent, *Exempt Co*, concerning manure management, proper burial of cows, and possible drinking water contamination by two farms adjacent to her property in Claysburg, Pennsylvania.

EPA delegates authority for the regulation of large farms to the Pennsylvania Department of Environmental Protection (PADEP). Concentrated animal feeding operations (CAFOs) require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. EPA does not require small farms such as the ones adjacent to *Exempt Co* property to apply for NPDES permit coverage. However, the Commonwealth of Pennsylvania's regulations require all farming operations that land apply manure or agricultural process wastewater, whether they generate the manure or import it from another operation, to have a written manure management plan. For farms not defined as CAFOs, manure management plans can be prepared by the farmer. Manure management plans do not have to be submitted for approval but must be kept on the farm and made available upon request.

With regard to the burial of cows as a means to manage animal mortalities at farms, burial is a legal disposal method in Pennsylvania as defined in the Commonwealth's Domestic Animal Act. Burial has the greatest number of environmental, public health and safety considerations. Burial sites need to be chosen carefully to prevent groundwater and well water contamination. Adequate cover prevents wild animals, dogs or birds from exhuming the carcasses. By Commonwealth law, burial sites must be: located outside of the 100-year flood plain; a minimum of 100 feet from waters of the Commonwealth (streams, ponds, wetlands, etc.) (200 feet is recommended); covered with minimum two feet of soil within 48 hours; and located a minimum of 100 feet from wells and sinkholes (200 feet recommended); at least 100 feet from property lines (200 feet recommended); and, away from public view.

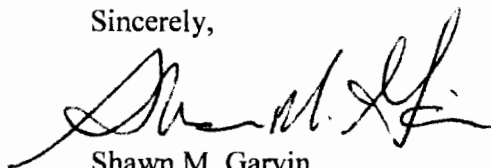


Private homeowner drinking water wells are not regulated by the EPA. EPA's regulations only apply to public water systems. A public water system is defined as a system that has at least 15 service connections or regularly serves at least 25 individuals. PADEP also does not regulate private wells. Private well owners have primary responsibility for the safety of the water drawn from their wells. They may contact their county health department to obtain information on how to have a well tested for total coliform bacteria and E. coli contamination. If the well tests positive, boil water intended for consumption at a rolling boil for at least one minute and disinfect the well according to procedures recommended by the PA Department of Health. Make sure to monitor your water periodically after disinfection. If the contamination is a recurring problem, they may want to install a permanent point-of-entry disinfection unit, which can use either chlorine, ultraviolet (UV light) or ozone. All of these methods act to kill or inactivate E. coli. More information on private wells can be located at the following websites: <http://water.epa.gov/drink/info/well/faq.cfm> and <http://extension.psu.edu/natural-resources/water/mwon>. A common source of bacteriological contamination of drinking water is on-site septic systems. If they have a septic system, concerned homeowners may want to have their system inspected by a qualified professional.

EPA contacted PADEP to inquire about any investigations they may have undertaken at the farms in question to determine compliance with applicable Commonwealth laws. PADEP initially received the complaint on June 14, 2015, investigated it with the Bedford County Conservation District (BCCD), and did not document any immediate water quality concerns. PADEP believes the farm of most interest is one immediately next door to *Exempt*. The operators of that farm are reportedly working with the BCCD to obtain the required manure management plan, so PADEP closed out the complaint.

If you have any questions, please do not hesitate to contact me or have your staff contact Mrs. Kinshasa Brown-Perry, EPA's Pennsylvania Liaison at 215-814-5404.

Sincerely,



Shawn M. Garvin
Regional Administrator

cc: Steve Taglang, PADEP